

UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

U.S. COURT OF APPEALS

No. 98-20002

CA-93-3651

FILED

JUN 24 1999

D.C. Docket No. H-96-CV-3036

CHARLES R. FULBRIDGE

HOUSTON CONTRACTORS ASSOCIATION; BEYER CONSTRUCTION, Beyer
Construction, Inc

CLERK

Plaintiffs - Appellees

v.

METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY; ET AL

Defendants

METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY

Defendant - Appellant

KOSSMAN CONTRACTING COMPANY INCORPORATED

Plaintiff - Appellee

v.

METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY; ET AL

Defendants

METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY

Defendant - Appellant

Appeals from the United States District Court for the
Southern District of Texas, Houston.

Before POLITZ, HIGGINBOTHAM, and DAVIS, Circuit Judges.

J U D G M E N T

This cause came on to be heard on the record on appeal and
was argued by counsel.

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ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Court that the judgment of the District Court in this cause is vacated, and the cause is remanded to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that costs be taxed against Houston Contractors.

ISSUED AS MANDATE:

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